

ESTTA Tracking number: **ESTTA265015**

Filing date: **02/06/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91176744
Party	Plaintiff DC Comics and Marvel Characters, Inc.
Correspondence Address	Jonathan D. Reichman Kenyon & Kenyon, LLP One Broadway New York, NY 10004 UNITED STATES mmorris@kenyon.com, jreichman@kenyon.com, mmarsh@kenyon.com, plum@kenyon.com, rcollins@kenyon.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Michelle C. Morris
Filer's e-mail	mmorris@kenyon.com, jreichman@kenyon.com, rcollins@kenyon.com
Signature	/Michelle C. Morris/
Date	02/06/2009
Attachments	SUPER HERO_Consented Motion to Extend.pdf (3 pages)(24474 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DC COMICS and
MARVEL CHARACTERS, INC.,

Opposers,

v.

MICHAEL CRAIG SILVER,

Applicant.

Opposition No. 91/176,744

Application No. 78/823,155

Mark: SUPER HERO

OPPOSER'S CONSENTED MOTION FOR AN EXTENSION OF TIME

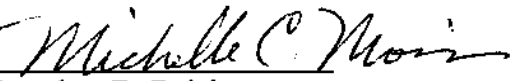
Pursuant to Trademark Board Manual of Procedure § 509.01(a), 37 CFR § 2.116(a), and Federal Rule of Civil Procedure 6(b)(1), Opposers DC Comics and Marvel Characters, Inc. (collectively, "Opposer") seek an order from the Trademark Trial and Appeal Board ("the Board") extending the discovery period and trial dates by twenty-one (21) days, to allow the parties additional time to coordinate the scheduling of Applicant's deposition. Opposer moves with the consent of Applicant, as provided in an email on February 2, 2209, to extend the discovery and trial dates as follows:

DISCOVERY PERIOD TO CLOSE:	March 17, 2009
Plaintiff's 30-day testimony to close:	June 15, 2009
Defendant's 30-day testimony to close:	August 14, 2009
Plaintiff's 15-day rebuttal testimony period to close:	September 28, 2009

Respectfully submitted,

KENYON & KENYON LLP

Dated: February 6, 2009

By: 
Jonathan D. Reichman
Michelle C. Morris
One Broadway
New York, New York 10004
(212) 425-7200
Attorneys for Opposer

PROOF OF SERVICE

I hereby certify that true and complete copy of OPPOSER'S CONSENTED MOTION
FOR AN EXTENSION OF TIME has been served by mailing said copy on February 6, 2009 via
first class mail, to:

Michael Craig Silver
64 Lincoln Drive
Sausalito, CA 94965


Michelle C. Morris